

General Assembly

Raised Bill No. 6435

January Session, 2009

LCO No. 3272

*03272____GAE

Referred to Committee on Government Administration and Elections

Introduced by: (GAE)

AN ACT CONCERNING ELECTION DAY REGISTRATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (Effective January 1, 2010) (a) As used in this section
- 2 and section 9-261 of the general statutes, as amended by this act,
- 3 "election day" means the day on which a regular election, as defined in
- 4 section 9-1 of the general statutes, is held.
- 5 (b) Notwithstanding the provisions of chapter 143 of the general
- 6 statutes, a person who (1) is not an elector and does not have a
- 7 pending application for admission as an elector under said chapter
- 8 143, and (2) meets the eligibility requirements under subsection (a) of
- 9 section 9-12 of the general statutes, may apply for admission as an
- 10 elector on election day.
- 11 (c) Any such application shall be made in accordance with the
- 12 provisions of section 9-20 of the general statutes, provided (1) the
- 13 applicant shall appear in person at the office of the registrars of voters
- 14 on election day, (2) an applicant who is a student enrolled at an
- 15 institution of higher education may submit a current photo

identification card issued by said institution in lieu of the identification required by said section 9-20, and (3) the applicant shall declare under oath that the applicant is not, to the applicant's knowledge, already properly admitted as an elector and has not previously voted in the election. If the information that the applicant is required to provide under section 9-20 of the general statutes and this section does not include proof of the applicant's residential address, the applicant shall also submit a United States passport, a military identification card, a learner's permit or a utility bill that has the applicant's name and current address and is due not later than thirty days after the election or, in the case of a student enrolled at an institution of higher education, a registration or fee statement from such institution that has the applicant's name and current address. If the registrars determine that an applicant is qualified, and admit the applicant as an elector, the registrars shall give the applicant a notice of acceptance that indicates the applicant's voting district and polling place. A notice of acceptance shall be on a form designed to prevent forgery or counterfeiting, as prescribed by the Secretary of the State. The registrars shall check the state-wide centralized voter registration system before admitting an applicant as an elector, to determine whether the applicant is an elector in another municipality in the state.

(d) Not later than seven days after each election day, the registrars of voters shall send a confirmation to the residential address of each applicant who is admitted as an elector on election day under this section. Such confirmation shall be sent by first-class mail with instructions on the envelope that it be returned if not deliverable at the address shown on the envelope. If a confirmation is returned undelivered, the registrars shall refer the matter to the State Elections Enforcement Commission which shall immediately conduct an investigation.

Sec. 2. Subsection (a) of section 9-261 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

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(a) In each primary, election or referendum, when an elector has entered the polling place, the elector shall announce the elector's street address, if any, and the elector's name to the official checkers in a tone sufficiently loud and clear as to enable all the election officials present to hear the same. Each elector who registered to vote by mail for the first time on or after January 1, 2003, and has a "mark" next to the elector's name on the official registry list, as required by section 9-23r, shall present to the official checkers, before the elector votes, either a current and valid photo identification that shows the elector's name and address or a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the elector. Each other elector shall (1) present to the official checkers the elector's Social Security card or any other preprinted form of identification [which] that shows the elector's name and either the elector's address, signature or photograph, or (2) on a form prescribed by the Secretary of the State, write the elector's residential address and date of birth, print the elector's name and sign a statement under penalty of false statement that the elector is the elector whose name appears on the official checklist. Such form shall clearly state the penalty of false statement. A separate such form shall be used for each elector. If the elector presents a preprinted form of identification under subdivision (1) of this subsection, the official checkers shall check the name of such elector on the official checklist. If the elector completes the form under subdivision (2) of this subsection, the registrar of voters or the assistant registrar of voters, as the case may be, shall examine the information on such form and either instruct the official checkers to check the name of such elector on the official checklist or notify the elector that the form is incomplete or inaccurate. In the case of an elector who is admitted on election day pursuant to section 1 of this act, the elector shall also present to the checkers the notice of acceptance given to the elector pursuant to section 1 of this act, and the checkers shall add the elector's name and address to the official checklist on such day and the elector shall be allowed to vote if otherwise eligible to vote. As used in this section, "election day" means

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- 83 "election day", as defined in section 1 of this act.
- 84 Sec. 3. Section 9-158a of the general statutes is repealed and the
- 85 following is substituted in lieu thereof (Effective January 1, 2010):
- 86 As used in sections 9-139c, 9-140b, 9-158a to 9-158m, inclusive, and 87 9-307:
- 88 (1) "Federal election" means any general or special election or any 89 primary held solely or in part for the purpose of selecting, nominating 90 or electing any candidate for the office of President, Vice President, 91 presidential elector, member of the United States Senate or member of 92 the United States House of Representatives;
- 93 (2) "Former resident" means a person who was a bona fide resident 94 of a town in this state and who has [removed] moved from that town 95 to another state less than thirty days before the day of a presidential 96 election and who for that reason is unable to register to vote in the 97 election in [his] <u>said person's</u> present town or state of residence;
- 98 (3) "Overseas elector" means any person permitted to vote pursuant 99 to subsection (b) of section 9-158b;
- 100 (4) "Presidential election" means an election at which electors of 101 President and Vice-President are elected:
- 102 (5) "Resident" means a bona fide resident of a town in this state;
- 103 (6) "State" includes any of the several states, the District of 104 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin 105 Islands; and
- 106 (7) "United States" includes the several states, the District of 107 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin 108 Islands, but does not include American Samoa, The Canal Zone, the 109 trust territory of the Pacific Islands or any other territory or possession of the United States. 110

- Sec. 4. Subsection (a) of section 9-158b of the general statutes is
- 112 repealed and the following is substituted in lieu thereof (Effective
- 113 *January 1, 2010*):
- 114 (a) Each citizen of the United States who is at least eighteen years of
- age, is a [resident or] former resident and [who] has not forfeited [his]
- 116 <u>said citizen's</u> electoral privileges because of a disfranchising crime,
- 117 may vote for presidential and vice-presidential electors, but for no
- other offices, in the town in this state in which [he resides, or] said
- citizen formerly resided in the manner provided in sections 9-158c to 9-
- 120 158m, inclusive, as amended by this act.
- Sec. 5. Subsection (a) of section 9-158c of the general statutes is
- 122 repealed and the following is substituted in lieu thereof (Effective
- 123 *January 1, 2010*):
- 124 (a) (1) Not earlier than forty-five days before the election and not
- later than the close of the polls on election day, each resident, or
- 126 former resident who desires to vote in a presidential election under
- sections 9-158a to 9-158m, inclusive, as amended by this act, may apply
- 128 for a "presidential ballot" to the municipal clerk of the town in which
- [he] said former resident is qualified to vote on the form prescribed in
- section 9-158d, as amended by this act. Application for a "presidential
- 131 ballot" may be made in person or absentee, in the manner provided for
- applying for an absentee ballot under section 9-140, except as provided
- in said sections 9-158a to 9-158m, inclusive, as amended by this act.
- 134 (2) A municipal clerk shall have the authority to designate a location
- in a municipal facility for the distribution, completion and processing
- of presidential ballot applications and the distribution, casting and
- 137 return of presidential ballots under sections 9-158a to 9-158m,
- inclusive, <u>as amended by this act</u>, on election day. Such municipal
- 139 clerk may appoint one or more presidential ballot assistants to serve at
- 140 such location, may delegate to such assistants any of the
- 141 responsibilities assigned to municipal clerks under said sections, and
- shall train and supervise such presidential ballot assistants.

- Sec. 6. Subsection (a) of section 9-158d of the general statutes is
- 144 repealed and the following is substituted in lieu thereof (Effective
- 145 *January* 1, 2010):
- 146 (a) The application for a presidential ballot shall be a form signed in
- duplicate by the applicant under penalty of false statement in absentee
- balloting, which shall provide substantially as follows:
- 149 To the Town Clerk of the Town of, Connecticut
- 150 I, the undersigned, declare under penalty of false statement in
- absentee balloting that the following statements are true:
- 152 1. I am a citizen of the United States.
- 2. I have not forfeited my electoral privileges because of conviction
- of a disfranchising crime.
- 3. I was born on, and on the day of the next presidential election,
- 156 I shall be at least 18 years of age. [Check and complete 4 or 5,
- 157 whichever applies:]
- 158 [4. RESIDENT. I am a bona fide resident of the above town, to
- which I am making this application, and I reside at Street. I moved
- 160 to said town on the day of, 20... Before becoming a resident of
- said town, I resided at Street, in the Town of County of, State
- 162 of]
- [5.] <u>4.</u> FORMER RESIDENT. I am a former resident of the above
- town, to which I am making this application, and resided at Street
- therein. I moved from such town to my present town of residence on
- the day of, 20.., being within thirty days before the date of the
- next presidential election, and for that reason I cannot register to vote
- in said presidential election in my present town of residence. I am now
- a bona fide resident of the Town of, in the state of, now residing
- 170 at Street therein.

- [6.] <u>5.</u> I hereby apply for a "presidential ballot" for the election to be
- held on, 20... I have not voted and will not vote otherwise than by
- this ballot at that election. I am not eligible to vote for electors of
- 174 President and Vice-President [in any other town in Connecticut or] in
- any other state.
- [7.] <u>6.</u> The said ballot is to be given to me personally mailed to me at
- 177 (bona fide mailing address)
- 178 Dated at, this day of 20...
- 179 (Signature of applicant)
- Sec. 7. Subsection (a) of section 9-158e of the general statutes is
- 181 repealed and the following is substituted in lieu thereof (Effective
- 182 *January 1, 2010*):

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(a) A person applying for a presidential ballot in person shall present: (1) A current and valid photo identification, or (2) a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter. The application for a presidential ballot by mail shall be accompanied by: (A) A copy of a current and valid photo identification, or (B) a copy of a current utility bill, bank statement, government check, paycheck or government document that shows the name and address of the voter. Upon receipt of an application for a presidential ballot under sections 9-158a to 9-158m, inclusive, as amended by this act, the clerk, if satisfied that the application is proper and that the applicant is qualified to vote under said sections, shall forthwith give or mail to the applicant, as the case may be, a ballot for presidential and vice-presidential electors for use at the election and instructions and envelopes for its return. At such time the clerks shall also mail a duplicate of the application to the appropriate official of [(i)

the state or the town in this state in which the applicant last resided in

the case of an applicant who is a resident, or (ii)] the state [or the town in this state] in which the applicant now resides. [in the case of an applicant who is a former resident.]

Sec. 8. Section 9-158j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

Upon receipt of an application for a "Presidential Ballot" or "Overseas Ballot" the town clerk shall forthwith notify the registrars of voters of the applicant's name, with a notation designating [him] the applicant as a person voting for presidential and vice-presidential electors or federal offices only. If the name of a presidential voter [who is a former resident] appears on the registry list, the registrars of voters or assistant registrars of voters, as the case may be, shall insert the letters "pf" in red ink within the margin preceding [his] the voter's name. The registrars of voters shall prepare a list of names and addresses of presidential voters and overseas electors whose names do not appear on the registry list, for each voting district, [which] if district counting is used. Such list shall accompany the official check list to be used at such election in such district. [The registrars shall insert the letters "pf" in the margin of such list of presidential voters preceding the name of each applicant who is a former resident.] If central counting is used, such list shall go to central counting.

Sec. 9. Section 9-158k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

The municipal clerk shall file each duplicate application or other official information received by [him] <u>such clerk</u> from another state, [or from another town in this state,] indicating that a person who formerly resided [or presently resides] in such town has made application to vote at a presidential election in such other state, [or town,] and shall maintain an alphabetical index of such information for a period of one hundred eighty days after the election. The clerk shall compare each such application or statement of information with applications made under the provisions of sections 9-158a to 9-158m, inclusive, <u>as</u>

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amended by this act, and, after the election, with the names checked off as having voted on the check list for the election, to ascertain that any such person has not voted more than once. Whenever the record indicates that any person has applied for a presidential ballot and indicated in [his] such person's application that [he] such person is applying as a former resident, and there is record evidence that such person has applied in another state [or town] as a new resident, the applicant's ballot shall not be cast in [his] such person's former town of residence.

This act shall take effect as follows and shall amend the following		
sections:		
Section 1	January 1, 2010	New section
Sec. 2	January 1, 2010	9-261(a)
Sec. 3	January 1, 2010	9-158a
Sec. 4	January 1, 2010	9-158b(a)
Sec. 5	January 1, 2010	9-158c(a)
Sec. 6	January 1, 2010	9-158d(a)
Sec. 7	January 1, 2010	9-158e(a)
Sec. 8	January 1, 2010	9-158j
Sec. 9	January 1, 2010	9-158k

Statement of Purpose:

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To promote voter participation by permitting individuals to register and vote on the day of a regular election.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]